

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**INFORMAL SESSION
April 3, 2006**

The Board of Supervisors of Maricopa County, Arizona convened in Informal Session at 1:00 p.m., April 3, 2006, in the Board of Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman, District 2; Fulton Brock, Vice Chairman, District 1; Andrew Kunasek, District 3; Max W. Wilson, District 4, and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Cassandra Harris, Administrative Coordinator; David Smith, County Manager; Christopher Keller, Chief Counsel, Civil Division and Bruce White, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

TOPOFF 4 EVENT

Item: This is a presentation by Emergency Management regarding the TOPOFF 4 event. Emergency Management is currently in the planning stage of the TOPOFF 4 exercise, which will be the most comprehensive terrorism response exercise ever conducted in the United States. The exercise is sponsored by the U.S. Department of Homeland Security's Office of State and Local Government Coordination and Preparedness. It is a congressionally mandated exercise designed to strengthen the nation's capacity to prevent, protect against, respond to and recover from terrorist attacks involving weapons of mass destruction. Arizona, Oregon and Guam are the three states/territories selected to participate in the exercise, which will be conducted in either the Spring or the Fall of 2007. The extent of our participation in the exercise and the degree of federal and state financial support is unclear at this time. Supplemental funding may be requested to cover TOPOFF 4 expenses. (C1506012M00) (ADM900)

Warren Leek, Director, Emergency Management

Mr. Leek provided a slide presentation of the TOPOFF 4 (T4) exercise which would be held in either May or October 2007. Emergency Management is already preparing for this event, and it will soon be getting the attention of others.

TOPOFF 3 (T3) was held in April of 2005. Mr. Leek reported that he had the opportunity to travel to Connecticut for the exercise. It was held in two different venues – New Jersey and Connecticut – as well as having considerable activity in Washington, DC. The counter-terrorism exercise series was geared toward the national level to train high level executives in the federal government, up to and including the Vice President, and was the largest and most complex Weapons of Mass Destruction (WMD) exercise ever undertaken. There were more than 22,000 participants from 27 federal departments or agencies in the United Kingdom and Canada, states of New Jersey and Connecticut, as well as private sector and non-government organizations.

The T3 New Jersey event was a simulated biological attack, concentrated in two counties – Union and Middlesex – and had statewide participation with almost every hospital in the state involved. The event stressed the State of New Jersey's Health Care System. The T3 Connecticut venue had a simulated explosive and chemical attack and was held in the town of New London, which was the venue that Mr. Leek visited for the exercise.

The concept for T4 is a ten day event, with an exercise debriefing as a follow-up. Tentatively, it is scheduled to be 72 hours of continuous exercise play, and then go into a daytime-only mode for conducting the rest of the exercise. The event is scalable depending upon the extent of participation at the local level. Mr. Leek explained the cycle of activities that will be ongoing and continue until the completion of the exercise, the T4 partners and venues, and the "Expanded Initiatives." There will be a Memorandum of Agreement (MOA) developed between the Federal Government and the State of Arizona, and likely other MOA's developed between the State, County, City/Town and Tribal participants. He detailed some of the "Appropriate MOA Elements" and pointed out that there was the possibility that

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the County may incur some cost from the T4 exercise. The State has indicated, Mr. Leek reported, that they will pick-up the vast majority of the costs that are not picked up by the Federal Government, however the details are still under negotiation.

Mr. Leek reported that the State of Arizona had developed a plan for what their level of participation in the T4 exercise would be. The exercise will be a conventional explosive with a simultaneous chemical attack, something similar to the T3 Connecticut event. The location had not been decided and there were a number of places throughout the State, primarily in Maricopa County, that were being considered.

Arizona's objectives, which are subject to change, were described and written in compliance with the Homeland Security Emergency Management Plan. The objectives are:

- Demonstrate interoperability of communications at the local, county, state and federal levels;
- Assess Homeland Security intelligence distribution process used among federal, state and local authorities to prevent and deter a terrorist attack;
- Assess the public information flow process and the Arizona 2-1-1 Emergency Bulletins System during a terrorist attack;
- Demonstrate the ability to direct and control emergency operations at the local, county and state emergency operations centers;
- Demonstrate the ability of local, county, state and federal agencies to recover from a terrorist attack;
- Demonstrate the ability to determine and implement protective action decisions at the local, county, state and federal levels;
- Demonstrate comprehensive local response of first responders.

Responding to a question from Supervisor Brock, Mr. Leek stated that he had the opportunity to view a Virtual News Network (VNN) operation which is, basically, an internal CNN type of closed circuit news broadcast. The Governor of the State of Connecticut and the County Manager for the Town of New London were interviewed. This part of the exercise gives broadcasters and those in positions of authority an opportunity to "practice" dealing with a large scale emergency event. Mr. Leek added that Bill Hahn from Maricopa County's Department of Transportation was also present at the event, and they had just launched an effort with a consultant to update the current mass evacuation plan. Part of that effort would be to contact the School Districts, as well as other entities that have mass transit capability, and work them into the plan.

Mr. Leek reported that a link had been established on the Emergency Management Department website to an area called "ready.gov" which does a very good job of telling citizens what they need to do to be prepared for a disaster. There was additional discussion regarding directing the flow of traffic, possible methods of reverse-flow to allow all to be directed away from the disaster, increasing the information bank for the public, the development of partnerships and the potential for other new ideas and creative thoughts to get ahead of the next problem. There are many resources available. The biggest challenge is developing a plan to manage and coordinate the use of these resources. That is part of developing the follow-up plan which is scheduled to be completed by October 2006 and can be presented to the Board at a future meeting.

REGIONAL SCHOOL DISTRICT #509

Item: The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on

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the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services as shown in the Vouchers. (ADM3814-003)

Additionally, the Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)
LeeAnn Bohn, Budget Administrator

No vouchers were presented for approval or ratification, and there was no update report for this meeting.

EXECUTIVE SESSION CALLED

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to recess and reconvene in Executive Session to consider items listed on the Executive Agenda dated April 3, 2006, pursuant to listed statutory authority, as follows.

LEGAL ADVICE: PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) and (A)(4)

Compromise Cases – Barbara Caldwell, Outside Counsel
Lyonel Herard
Joseph Stedman

Falcon v. Maricopa County, et al.
Court of Appeals No. 1 CA-CV 04-0801, Superior Court No. CV2003-007711
Christopher Keller, Chief Counsel, Civil Division
Richard Stewart, Deputy County Attorney
Bruce White, Deputy County Attorney

PURCHASE, SALE OR LEASE OF REAL PROPERTY – ARS §38-431.03(A)(7)

Consideration to Purchase Downtown Properties
Tom Manos, Chief Financial Officer
Dennis Lindsey, Manager, Real Estate Services
Brian Hushek, Deputy Budget Director
William Riske, Deputy County Attorney

LEGAL ADVICE: CONTRACTS SUBJECT TO NEGOTIATION – ARS §38-431.03(A)(3) and (A)(4)

IGA between Maricopa County and the Maricopa County Regional School District #509 regarding school operations and financing.

Chris Keller, Chief Counsel, Civil Division
Sandi Wilson, Deputy County Manager
Bruce White, Deputy County Attorney
Brian Hushek, Deputy Budget Director
Shelby Scharbach, Deputy Finance Director

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Dean Wolcott, Outside Counsel
Tom Manos, Chief Financial Officer
Ross Tate, County Auditor
Tom Irvine, Outside Counsel
Fred Rosenfeld, Outside Counsel
LeeAnn Bohn, Budget Manager

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; CONTRACTS SUBJECT TO
NEGOTIATION – ARS §38-431.03(A)(3) AND (A)(4)**

**Advice regarding legal issues and options concerning County Regional School District/
Accommodations School funding, management and audit issues.**

Chris Keller, Chief Counsel, Civil Division
Sandi Wilson, Deputy County Manager
Bruce White, Deputy County Attorney
Brian Hushek, Deputy Budget Director
Shelby Scharbach, Deputy Finance Director
Dean Wolcott, Outside Counsel
Tom Manos, Chief Financial Officer
Ross Tate, County Auditor
Tom Irvine, Outside Counsel
Fred Rosenfeld, Outside Counsel
LeeAnn Bohn, Budget Manager

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) and (A)(4)

**Potential litigation concerning a Special Action, Declaratory and Injunctive Relief regarding
County Island Fire Districts. (Addendum item A-1)**

Chris Keller, Chief Counsel, Civil Division
Bruce White, Deputy County Attorney
Kevin Costello, Deputy County Attorney

MEETING ADJOURNED

After discussion on the above items and there being no further business to come before the Board, the meeting was adjourned.

Don Stapley, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board